



06-05-02

Receipt

Docket No. 2026-4237182

TECH CENTER 1600/2900

RECEIVED  
JUN 13 2002**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Smyth-Templeton et al.

Group Art Unit: To Be Assigned

Serial No.: 09/991,028

Examiner: To Be Assigned

Filed: November 20, 2001

For: NOVEL LIPOSOME COMPLEXES FOR INCREASED SYSTEMIC DELIVERY

**EXPRESS MAIL CERTIFICATE**Express Mail Label No.: **EV 094904055 US**Date of Deposit: **June 3, 2002**

I hereby certify that the following attached paper(s) and/or fee

1. Request for Correction of Official Filing Receipt (2 pages),
2. Copy of original Filing Receipt with change noted thereon in red ink (1 page),
3. Copy of Utility Application and Fee Transmittal and stamped postcard filed November 20, 2001 (5 pages),
4. Copy of original Declaration for Application Serial No. 09/242,190 as filed on September 29, 1999 (2 pages),
5. Copy of corrected Declaration for Application Serial No. 09/242,190 as filed on February 14, 2002 (3 pages), and
6. Return Receipt Postcard

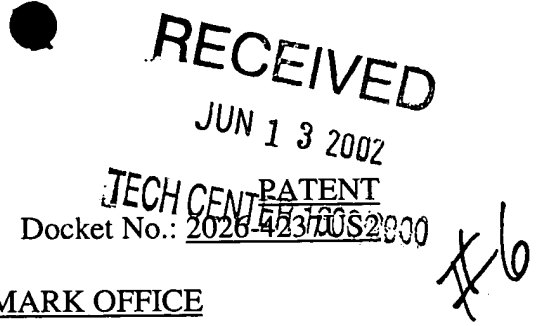
is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner for Patents, To the attention of: Office of Initial Patent Examination's Customer Service Center, Washington, DC 20231.

Jafet N. Cotto

(Typed or printed name of person mailing papers(s) and/or fee)

  
(Signature of person mailing paper(s) and/or fee)**Correspondence Address:**

MORGAN & FINNEGAN, L.L.P.  
345 Park Avenue  
New York, NY 10154-0053  
(212) 758-4800 Telephone  
(212) 751-6849 Facsimile



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Smyth-Templeton, N., et al.                      Group Art Unit:                      To be assigned  
Serial No. : 09/991,028    Examiner:                      To be assigned  
Filed : November 20, 2001.  
For : NOVEL LIPOSOME COMPLEXES FOR INCREASED SYSTEMIC DELIVERY

Commissioner for Patents  
Washington, D.C. 20231

To the attention of: Office of Initial Patent Examination's  
Customer Service Center

REQUEST FOR CORRECTION OF OFFICIAL FILING RECEIPT

Sir:

This Communication is submitted to respectfully request correction of the official Filing Receipt for the above-identified patent application. A copy of the original Filing Receipt is attached hereto with the requested changes noted thereon in red ink. Applicants respectfully request the issuance of a corrected official Filing Receipt for this application. Applicants' intention is not to change the original filing date of a parent application, but to correct a U.S. Patent and Trademark Office typographical error in the priority data, where provisional application serial no. 60/024,931 should have a filing date of August 19, 1996, and not August 30, 1996. Furthermore, the city and state of residence for Nancy Smyth-Templeton should be Houston, TX as reflected in the corrected Declaration as filed on February 14, 2002.

Specifically, please correct the domestic priority data as claimed by applicant as follows:

Serial Application No.: 09/991,028

Docket No.: 2026-4237US2

--THIS APPLICATION IS A CON OF 09/242,190  
10/04/1999 WHICH IS A 371 OF PCT/US97/13599 08/01/1997  
WHICH CLAIMS BENEFIT OF 60/024,931 08/19/1996--

as reflected on the Utility Application and Fee Transmittal and stamped postcard as originally filed on November 20, 2001, provided herewith. Also provided herewith is a copy of the original and corrected Declaration for Application Serial No. 09/242,190 as filed on September 29, 1999 and February 14, 2002, respectively. These documents correctly identify the filing date of Provisional Application No. 60/024,931 as August 19, 1996.

Furthermore, please correct the residential city and state for Nancy Smyth-Templeton to read as follows:

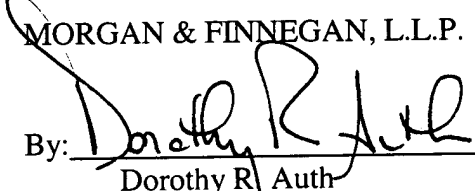
Houston, TX

as reflected in the corrected Declaration for Application Serial No. 09/242,190 filed on February 14, 2002, as attached hereto.

AUTHORIZATION

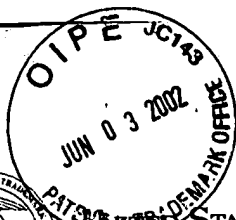
No fee is believed to be due for this request. However, should any fee(s) be required, the Commissioner is hereby authorized to charge any fee(s) that is/are properly assessable in this provisional application to Deposit Account No. 13-4500, Order No. 2026-4237US2. A DUPLICATE COPY OF THIS PAPER IS ATTACHED.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

By:   
Dorothy R. Auth  
Reg. No. 36,434

Dated: June 3, 2002

Correspondence Address:  
MORGAN & FINNEGAN, L.L.P.  
345 Park Avenue  
New York, New York 10154-0053  
(212) 758-4800 (Telephone)  
(212) 751-6849 (Facsimile)



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JUN 13 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

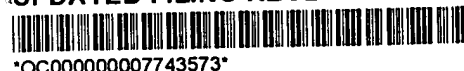
TECH CENTER 1600/2000

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/991,028	11/20/2001	1615	740	2026-4237US2	12	7	2

CONFIRMATION NO. 4109

UPDATED FILING RECEIPT



\*OC000000007743573\*

MORGAN & FINNEGAN, L.L.P.  
345 Park Avenue  
New York, NY 10154-0053

Date Mailed: 03/29/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Nancy Smyth-Templeton, Bethesda, MD, Houston, TX  
George N. Pavlakis, Rockville, MD;

**Domestic Priority data as claimed by applicant**

THIS APPLICATION IS A CON OF 09/242,190 10/04/1999  
WHICH IS A 371 OF PCT/US97/13599 08/01/1997  
WHICH CLAIMS BENEFIT OF 60/024,931 08/30/1996

(\*) Data inconsistent with PTO records.

08/19/1996

**Foreign Applications**

If Required, Foreign Filing License Granted 01/16/2002

Projected Publication Date: 07/04/2002

Non-Publication Request: No

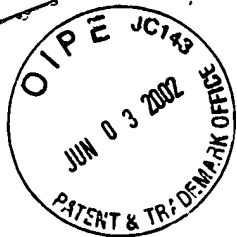
Early Publication Request: No

**Title**

Novel liposome complexes for increased systemic delivery

**Preliminary Class**

CASE 02026-4237 US2  
INFORMATION DISCLOSURE STATEMENT  
ATTY DRA  
FOREIGN FILING  
CONVENTION DATE EXPIRES



*DR Anth*  
**RECEIVED**

JUN 13 2002

TECH CENTER 1600/2900

Case No. 2026-4237US2 Con. of Serial No. 09/242,190

Date Mailed: November 20, 2001 Atty EMK

Date due in the Patent Office: ----

The return of this post card, properly stamped, will acknowledge receipt in the Patent & Trademark Office of the following:

1. Utility Application and Fee Transmittal (1.53(b)) (4 pages);
2. Application: 38 pages specification; 3 pages claims, 1 page abstract and 15 pages of drawings (Figs 1A-8);
3. Preliminary Amendment; 4. Copy of Combined Declaration and Power of Attorney (2 pages);
5. PTO 1449 (1 sheet); 6. Check in the amount of \$740.00; and 7. Express Mail Label No.: EL 912004874 US





Docket No. 2026-4237US2  
Express Mail No. EL 912004874 US



27123

PATENT TRADEMARK OFFICE

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↑AFFIX CUSTOMER NO. LABEL ABOVE ↑  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
UTILITY APPLICATION AND FEE TRANSMITTAL §(1.53(b))

Commissioner for Patents  
2900 Crystal Dr.  
Arlington, VA 22202-3513

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s) names and addresses:

(1) Nancy SMYTH TEMPLETON  
7777 Greenbriar Drive, Apt. 2081  
Houston, TX 77030  
U.S.A.

(2) George N. PAVLAKIS  
9 Purdue Court  
Rockville, MD 20852  
U.S.A.

☐ Additional inventors are listed on a separate sheet

For: NOVEL LIPOSOME COMPLEXES FOR INCREASES SYSTEMATIC DELIVERY

Enclosed Are:

38 page(s) of specification  
1 page(s) of Abstract  
3 page(s) of claims  
15 sheets of ☐ Formal ☒ Informal drawings  
2 page(s) of Declaration and Power of Attorney

☐ Unsigned

☐ Newly Executed

☒ Copy from prior application

☐ Deletion of inventors including Signed Statement under 37 C.F.R. §1.63(d)(2)

☐ **REQUEST AND CERTIFICATION UNDER 35 U.S.C. §122(b)(2)(B)(i) (form PTO/SB/35)**

As indicated on the attached Request and Certification, Applicant(s) certify that the invention disclosed in the attached application HAS NOT and WILL NOT be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. Applicant(s) therefore request(s) that the attached application NOT be published under 35 U.S.C. §122(b).

☒ **Incorporation by Reference:**

☒ The entire disclosure of the prior application, from which a copy of the combined Declaration and Power of Attorney is supplied herein, is considered as being part of the disclosure of the accompanying application and is incorporated herein by reference.

☐ **Deletion of Inventors (37 C.F.R. §1.63(d) and §1.33(b))**

Signed statement attached deleting inventor(s) named in the prior application serial no. \_\_\_\_\_, filed \_\_\_\_\_.

☐ **Microfiche Computer Program (Appendix)**

- ☐ page(s) of Sequence Listing
- ☐ computer readable disk containing Sequence Listing
- ☐ Statement under 37 C.F.R. §1.821(f) that computer and paper copies of the Sequence Listing are the same

☒ **Assignment Papers (assignment cover sheet and assignment documents)**

- ☐ A check in the amount of \$40.00 for recording the Assignment
- ☐ Charge the Assignment Recordation Fee to Deposit Account No. 13-4500, Order No. \_\_\_\_\_.
- ☒ Assignment Papers filed in the parent application Serial No. 09/242,190 recorded on 10/15/99, Reel 010283, Frame 0917.

☐ **Certification of chain of title pursuant to 37 C.F.R. §3.73(b)**

☐ Priority is claimed under 35 U.S.C. §119 for:  
Application No(s). \_\_\_\_\_, filed \_\_\_\_\_, in \_\_\_\_\_ (country).

☐ Certified Copy of Priority Document(s) [\_\_\_\_\_]

☐ filed herewith

☐ filed in application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.

☐ English translation document(s) [\_\_\_\_\_]

☐ filed herewith

☐ filed in application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.

☐ Priority is claimed under 35 U.S.C. §119(e) for:  
Provisional Application No. \_\_\_\_\_, filed \_\_\_\_\_.

- ☒ Information Disclosure Statement
- ☐ Copy of [ ] cited references
- ☒ PTO Form-1449
- ☒ References cited in parent application Serial No. 09/242,190, filed October 4, 1999.
- ☐ Related Case Statement under 37 C.F.R. §1.98(a)(2)(iii)
- ☐ A copy of related pending U.S. Application(s) Serial No(s): \_\_\_\_\_, filed \_\_\_\_\_, respectively, is attached hereto.
- ☐ A copy of related pending U.S. Application(s) entitled, \_\_\_\_\_, filed \_\_\_\_\_ to inventor(s) \_\_\_\_\_, respectively, is attached hereto.
- ☐ A copy of each related application(s) was submitted in parent application serial no. \_\_\_\_\_, filed \_\_\_\_\_.
- ☒ Preliminary Amendment
- ☒ Return receipt postcard (MPEP 503)
- ☒ This is a ☒ continuation ☐ divisional ☐ continuation-in-part of prior application serial no. 09/242,190, filed October 4, 1999, to which priority under 35 U.S.C. §120 is claimed.
- ☒ Cancel in this application original claims 1-8 and 13-14 of the parent application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- ☒ A Preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application).
- ☒ The status of the parent application is as follows:
- ☐ A Petition for Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application until \_\_\_\_\_.
- ☐ A copy of the Petition for Extension of Time in the co-pending parent application is attached.
- ☒ No Petition for Extension of Time and Fee therefor are necessary in the co-pending parent application.
- ☐ Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.
- ☒ Transfer the drawing(s) from the parent application to this application



- ☒ Amend the specification by inserting before the first line the sentence:  
 This is a ☒ continuation ☐ divisional ☐ continuation-in-part of co-pending  
 application Serial No. 09/242,190, filed October 4, 1999, which is a 35 U.S.C. 371  
 filing of PCT/US97/13599, filed August 1, 1997, which claims benefit to provisional  
 application No. 60/024,931, filed August 19, 1996, now abandoned.

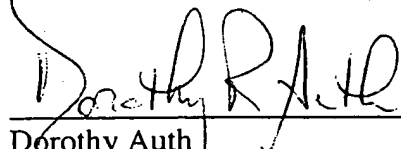
I. CALCULATION OF APPLICATION FEE				
	Number Filed	Number Extra	Rate	Basic Fee \$740.00/370.00
Total Claims	5- 20 =	---x	\$18.00/ \$9.00	\$ ---
Independent Claims	2- 3 =	---x	\$84.00/ \$42.00	\$ ---
<input type="checkbox"/> Multiple Dependent Claims		If marked, add fee of \$280.00 (\$140.00)		\$ ---
TOTAL:				\$ 740.00

- ☐ Small entity status is or has been claimed. Reduced fees under 37 C.F.R. §1.9 (f) paid herewith \$\_\_\_\_\_.
- ☒ A check in the amount of \$740.00 in payment of the application filing fees is attached.
- ☐ Charge fee to Deposit Account No. 13-4500, Order No. \_\_\_\_\_. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for filing this application pursuant to 37 CFR §1.16, **including all extension of time fees pursuant to 37 C.F.R. § 1.17 for maintaining copendency** with the parent application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 2026-4237US2. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,  
 MORGAN & FINNEGAN, L.L.P.

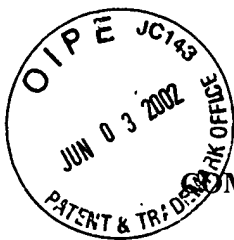
Dated: November 20, 2001

By:

  
 Dorothy Auth  
 Registration No. 36,434

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.  
 345 Park Avenue  
 New York, NY 10154-0053  
 (212) 758-4800 Telephone  
 (212) 751-6849 Facsimile



Docket No. 2026-4237US

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## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, the information given herein is true, that I believe I am the original, first and sole (if only one name is listed below) or an or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

NOVEL LIPOSOME COMPLEXES FOR INCREASED SYSTEMIC DELIVERY

which is described in: [x] PCT International Application No. PCT/US97/13599 filed August 1, 1997,  
which is U.S. application Serial No. 09/242,190 filed February 10, 1999.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information known to me which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56 (a).

I hereby claim foreign priority benefits under Title 35 United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign applications(s) for patent or inventor's certificate or any PCT international applications(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

COUNTRY	APPLICATION	DATE OF FILING (DAY, MONTH, YEAR)	PRIORITY CLAIMED UNDER 35 USC § 119
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States Provisional patent application(s).

Provisional Application Serial No.	Filing Date	Status: patented, pending, abandoned
60/024,386	August 19, 1996	abandoned

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) or PCT International application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

	Filing Date	Status: patented, pending, abandoned

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

James C. Haight, Reg. No. 25,588; Robert Benson, Reg. No. 33,612; Jack Spiegel, Reg. No. 34,477; Susan S. Rucker, Reg. No. 35,762; David R. Sadowski, Reg. No. 32,808; Steven M. Ferguson, Reg. No. 38,448; Stephen L. Finley, Reg. No. 36,357; John P. Kim, Reg. No. 38,514 and Joseph K. Hemby, Jr., Reg. No. 42,652, all of the Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, Rockville, Maryland 20852.

I further direct that all correspondence concerning this application be directed to:

Patent Branch  
Office of Technology Transfer  
National Institutes of Health  
6011 Executive Boulevard, Suite 325  
Rockville, MD 20852  
Telephone: (301) 496-7056  
Fax: (301) 402-0220

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of first joint inventor: Nancy Smyth-Templeton

Inventor's signature: Nancy Smyth-Templeton Date: 2/12/02

Country of Citizenship: United States of America

Residence: 7777 Greenbriar Dr., Apt. 2081, Houston, TX 77030  
6808 Persimmon Tree Road, Bethesda, Maryland 20817-4410. NST 2/12/02

Post Office Address: \_\_\_\_\_

Full Name of second joint inventor: George N. Pavlakis

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Country of Citizenship: United States of America

Residence: 9 Purdue Court, Rockville, Maryland 20850

Post Office Address: \_\_\_\_\_

	Filing Date	Status: patented, pending, abandoned

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

James C. Haight, Reg. No. 25,588; Robert Benson, Reg. No. 33,612; Jack Spiegel, Reg. No. 34,477; Susan S. Rucker, Reg. No. 35,762; David R. Sadowski, Reg. No. 32,808; Steven M. Ferguson, Reg. No. 38,448; Stephen L. Finley, Reg. No. 36,357; John P. Kim, Reg. No. 38,514 and Joseph K. Hemby, Jr., Reg. No. 42,652, all of the Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, Rockville, Maryland 20852.

I further direct that all correspondence concerning this application be directed to:

Patent Branch  
Office of Technology Transfer  
National Institutes of Health  
6011 Executive Boulevard, Suite 325  
Rockville, MD 20852  
Telephone: (301) 496-7056  
Fax: (301) 402-0220

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of first joint inventor: Nancy Smyth-Templeton

Inventor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Country of Citizenship: United States of America

Residence: 6808 Persimmon Tree Road, Bethesda, Maryland 20817-4410.

Post Office Address: \_\_\_\_\_

Full Name of second joint inventor: George N. Pavlakis

Inventor's signature: George N. Pavlakis Date: Feb 14, 2002

Country of Citizenship: United States of America

Residence: 9 Purdue Court, Rockville, Maryland 20850

Post Office Address: \_\_\_\_\_



Docket No. 2026-4237US1  
**RECEIVED**  
JUN 13 2002  
TECH CENTER

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, the information given herein is true, that I believe I am the original, first and sole (if only one name is listed below) or an or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### NOVEL LIPOSOME COMPLEXES FOR INCREASED SYSTEMIC DELIVERY

which is described in: [x] PCT International Application No. PCT/US97/13599 filed August 1, 1997,  
which is U.S. application Serial No. 09/242,190 filed February 10, 1999.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information known to me which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56 (a).

I hereby claim foreign priority benefits under Title 35 United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign applications(s) for patent or inventor's certificate or any PCT international applications(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

COUNTRY	APPLICATION	DATE OF FILING (DAY, MONTH, YEAR)	PRIORITY CLAIMED UNDER 35 USC § 119
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States Provisional patent application(s).

Provisional Application Serial No.	Filing Date	Status: patented, pending, abandoned
60/024,931	August 19, 1996	abandoned

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) or PCT International application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

	Filing Date	Status: patented, pending, abandoned

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

James C. Haight, Reg. No. 25,588; Robert Benson, Reg. No. 33,612; Jack Spiegel, Reg. No. 34,477; Susan S. Rucker, Reg. No. 35,762; David R. Sadowski, Reg. No. 32,808; Steven M. Ferguson, Reg. No. 38,448; Stephen L. Finley, Reg. No. 36,357; John P. Kim, Reg. No. 38,514 and Joseph K. Hemby, Jr., Reg. No. 42,652, all of the Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, Rockville, Maryland 20852.

I further direct that all correspondence concerning this application be directed to:

Patent Branch  
Office of Technology Transfer  
National Institutes of Health  
6011 Executive Boulevard, Suite 325  
Rockville, MD 20852  
Telephone: (301) 496-7056  
Fax: (301) 402-0220

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of first joint inventor: Nancy Smyth-Templeton

Inventor's signature: Nancy Smyth Templeton Date: Sept. 17, 1999

Country of Citizenship: United States of America

Residence: 6808 Persimmon Tree Road, Bethesda, Maryland 20817-4410.

Post Office Address: \_\_\_\_\_

Full Name of second joint inventor: George N. Pavlakis

Inventor's signature: George N. Pavlakis Date: Sep 21, 1999

Country of Citizenship: United States of America

Residence: 9 Purdue Court, Rockville, Maryland 20850

Post Office Address: \_\_\_\_\_

1615  
UNITED STATES PATENT AND TRADEMARK OFFICECOMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.	TITLE
09/991,028	11/20/2001	Nancy Smyth-Templeton	2026-4237U	

MORGAN & FINNEGAN, L.L.P.  
345 Park Avenue  
New York, NY 10154-0053

FILE COPY

CONFIRMATION NO. 109

\*OC000000008269203\*

Date Mailed: 06/12/2002

## RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

## Claims, Fees, and Inventors

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- ☐ The total number of claims appearing on the Filing Receipt does not include multiple dependent claims. The total fee appearing on the Filing Receipt includes the cost of multiple dependent claims that were present at the time the application was filed.
- ☐ The filing fee is correct. It may include additional claims fees and/or the surcharge under 37 CFR 1.16(e) for filing an oath/declaration or basic filing fee after the application filing date; or it may not reflect fees refunded to the applicant that were paid by mistake.
- ☐ The number of claims reflected on the filing receipt is correct. Upon review of the claims, it was found that there was a miscalculation by the applicant. This may be due to improperly presented multiple dependent claims, typographical error, misnumbering of the claims, or other oversight. An amendment may be necessary to correct the problem.
- ☐ The filing fee reflected on the filing receipt is correct. Applicant may have miscalculated the fees due.
- ☐ Applicant calculated fees as other than small entity; however, applicant asserted small entity status in the application. Therefore, fees were applied as small entity and the remainder was refunded to the applicant.
- ☐ The difference between the fees paid and the fees due was refunded to the applicant and will not be shown on the filing receipt.
- ☐ The inventor information may be truncated if the family name consists of more than 50 characters (letters and spaces combined) and if the given name consists of more than 50 characters (letters and spaces combined).
- ☐ The inventor's residence allows for up to 40 characters (letters and spaces combined).

☐

☐ The inventor's residence will only include the city and state for U.S. residences or city and country for residences outside the U.S. (See MPEP 605.02).

☐ A petition to correct the inventorship is needed to make this change. See 37 CFR 1.48. For non-provisional applications, the petition should be directed to the Director of the examining group assigned to your application.

☐ Changes made after submission of an executed declaration to the inventor information other than correction of typographical errors must be submitted in the form of a substitute declaration. Change of inventorship requires a petition under 37 CFR 1.48.

☐ The number of drawings shown on the filing receipt reflects the number of drawing sheets submitted and is not necessarily equal to the number of figures submitted.

☐ The correspondence address was captured as directed by applicant on filing. If you wish correspondence to be directed otherwise, please submit a request for a change of address.

☐ The docket number allows a maximum of 25 characters.

☐ The person signing on behalf of the deceased inventor is reflected on the Filing Receipt as the legal representative.

☒ The filing date of a parent application cannot be changed by this request. A petition to correct the filing date in the parent application is required.

  
\_\_\_\_\_  
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Office of Initial Patent Examination  
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